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**MEMO ENDORSED**

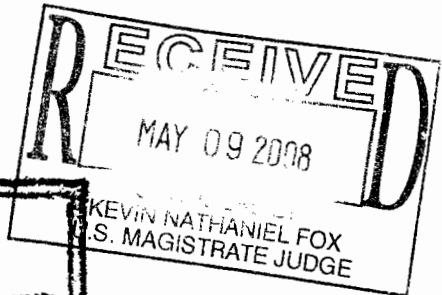
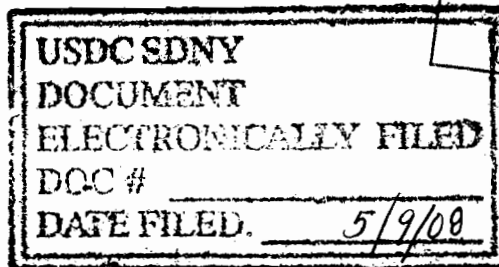
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May 9, 2008

VIA FACSIMILE (212-805-6712)

Honorable Kevin Nathaniel Fox  
U.S. Magistrate Judge  
United States District Court  
Southern District of New York  
40 Centre Street Room 540  
New York, NY 10007



Re: **Bitterman v. Berkshire Life Insurance Company**  
**Docket No. 07-Civ-11061 (SAS)(KNF)**  
**Our File No.: 4060.2001**

Dear Judge Fox :

On May 7, 2008, the Court ordered that a settlement conference be held with the parties on May 27, 2008 at 10:30 A.M on the above captioned matter. Due to a scheduling conflict, Dr. Bitterman's counsel is unable to appear on that date. After conferring with all parties, it is respectfully requested that the Court change the calendar date for the settlement conference to Tuesday June 17, 2008 at 10:30 A.M.

5/9/08

*Application granted.*

**SO ORDERED:**

*Kevin Nathaniel Fox*

**Hon. Kevin Nathaniel Fox**  
**United States Magistrate Judge**

Very truly yours,

SCHINDEL, FARMAN, LIPSIOUS,  
GARDNER & RABINOVICH, LLP

*Cheryl D. Lipsius*

Cheryl D. Lipsius

CDL:bl

cc: Steven P. Del Mauro, Esq.